

United States District Court
District of New Mexico
Office of the Clerk
Pete V. Domenici United States Courthouse



Matthew J. Dykeman
Clerk of Court

333 Lomas Blvd. N.W. - Suite 270
Albuquerque, New Mexico 87102
(505) 348-2000 - Fax (505) 348-2028

Divisional Offices
120 South Federal Place
P.O. Box 2384
Santa Fe, NM 87504-2384
(505) 988-6481
Fax (505) 988-6473

200 East Griggs
Las Cruces, NM 88001
(505) 528-1400
Fax (505) 528-1425

April 25, 2005

James Bonini, Clerk
United States District Court
for the Southern District of Ohio
100 East Fifth Street, Room 103
Cincinnati, OH 45202

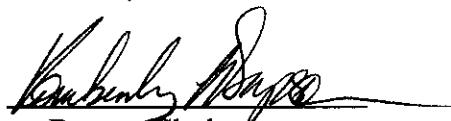
Re: USA v. Edward Freeman
Your No. 1-01-001 (Ohio)
Our No. 05-M-220 (New Mexico)

Dear Mr. Bonini:

Enclosed are original documents relative to the above case from your district. Defendant Edward A. Freeman appeared in our district, waived the hearing and was remanded to the custody of the USMS to be transported to your district..

Please acknowledge receipt on the enclosed copy of this letter and return it to us at your earliest convenience.

Sincerely,
Matthew J. Dykeman, Clerk

By: 
Deputy Clerk

Attachments
cc: Margaret Katze, AFD
Glynnette Carson-McNabb, AUSA

FILED

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

DISTRICT OF NEW MEXICO

APR 12 2005

United States of America

MATTHEW J. DYKMAN
CLERK

vs.

Edward Freeman

WAIVER OF DETENTION HEARING

(Rule 5 or 32.1, Fed. R. Crim. P., 18 U.S.C. § 3142)

Case Number: 05m220

I, Edward Freeman, charged in: (an indictment, complaint, petition)
with a violation of supervised release,
Title _____, U.S.C., _____, and
having appeared before this Court and been advised of my rights as required by Rule 5 or Rule 32.1
Fed. R. Crim. P., and is U.S.C. § 3142 including my right to have a detention hearing, do hereby
waive (give up) my right to a detention hearing and agree to be detained. However, I reserve the
right to petition the court to review my detention and set reasonable conditions of release.

Edward A Freeman
Defendant

Defendant

442-05

Date

Margot Ketsch
Counsel for Defendant

Counsel for Defendant

Re

9

UNITED STATES DISTRICT COURT

APR 12 2005

DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA

MATTHEW J. DYKMAN

CLERK

WAIVER OF RULE 32.1 HEARINGS

(Probation/Supervised Release Violation)

v.

Edward Freeman

Defendant

CASE NUMBER: 05m 220

CHARGING DISTRICTS

CASE NUMBER:

1-01-001

I understand that charges are pending in the Eastern District of Kentucky alleging violation of Supervised release (Probation / Supervised Release) and that I have been arrested in this district and

taken before a judge, who has informed me of the charge(s) and my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) a preliminary hearing (but only if I will be kept in custody, and the hearing will only be held in this district if the alleged violation occurred here) to determine whether there is probable cause to believe a violation occurred; and
- (4) a hearing under Rule 32.1(a)(6), Fed. R. Crim. P., in which I have the burden of establishing my eligibility for release from custody.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

 identity hearing preliminary hearing

identity hearing but request a preliminary hearing be held in the prosecuting district and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Edward Freeman
Defendant

Magenta Katz
Defense Counsel

4-12-05

Date

RJL

April 12, 2005 12:00:AM

**United States District Court
District of New Mexico
Summary Document Verification***

Case:	05m 00220
Title:	USA v. Freeman
Document Type:	Order
Document Number:	7
Description:	ORDER by Magistrate Judge Richard L. Puglisi of Commitment to Eastern District of Kentucky as to deft Freeman
Total Pages:	1
Exhibits/Attachment:	0
Court Signature:	81 cc b7 60 e8 62 a8 3e 58 2b 91 0a b0 93 d6 a1 95 3d e7 37 dd 1c 72 a8 04 e7 8c cd de 75 a2 fa 3e b8 04 35 9e 6e d9 ec 65 1e d2 21 32 75 c1 1d 64 4a f1 fa 50 19 46 54 0a 4b 71 c3 31 fb 5f 73 76 ec 40 9e 2e 3d 96 63 35 ef ad a3 ab 58 d4 30 81 62 c8 0c 6f 71 f8 dd 3f 94 7e db 08 e4 bb 3b ed 13 6e 2f 5b e0 a9 ec 49 b8 20 99 94 07 11 2c 1c a9 92 8a 47 64 c9 64 a2 59 b7 c3 11 95 7a d3

Court Signature: The Court's digital signature is a verifiable mathematical computation unique to this document and the Court's private encryption key. This signature assures that any change to the document can be detected.

*Note: THE COMPLETE DOCUMENT VERIFICATION FORM CAN BE VIEWED ON
THE ACE DOCKET SHEET FOR THIS CASE.

United States District Court

District of New Mexico

UNITED STATES OF AMERICA
vs.
EDWARD A. FREEMAN

COMMITMENT TO ANOTHER DISTRICT

DOCKET NUMBER		MAGISTRATE/JUDGE CASE NUMBER	
District of Arrest	District of Offense	District of Arrest	District of Offense
	CR-1-01-001	05M0220	

CHARGES AGAINST THE DEFENDANT ARE BASED UPON AN

Indictment Information Complaint Other (specify)

charging a violation of U.S.C. §

DISTRICT OF OFFENSE

DESCRIPTION OF CHARGES PETITION FOR WARRANT OR SUMMONS FOR OFFENDER UNDER SUPERVISION

CURRENT BOND STATUS: Bail fixed at and conditions were not met
 Government moved for detention and defendant detained after hearing in District of Arrest
 Government moved for detention and defendant detained pending detention hearing in District of
 Offense
 Other (specify)

Representation: Retained Own Counsel Federal Defender Organization CJA Attorney None

Interpreter Required? No Yes Language:

District of New Mexico

TO: THE UNITED STATES MARSHAL

You are hereby commanded to take custody of the above named defendant and to transport that defendant with a certified copy of this commitment forthwith to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant.

April 12, 2005

/s/Richard L. Puglisi, U.S. Magistrate Judge

Date

United States Judge or Magistrate Judge

RETURN

This commitment was received and executed as follows:

DATE COMMITMENT ORDER RECEIVED	PLACE OF COMMITMENT	DATE DEFENDANT COMMITTED
DATE	UNITED STATES MARSHAL	(BY) DEPUTY MARSHAL

April 12, 2005 12:00:AM

**United States District Court
District of New Mexico
Summary Document Verification***

Case:	05m 00220
Title:	USA v. Freeman
Document Type:	Clerk's Minutes
Document Number:	6
Description:	CLERK'S MINUTES of the Detention/Identity hrg for deft Freeman held on 4/12/05 before Judge Puglisi
Total Pages:	1
Exhibits/Attachment:	0
Court Signature:	a7 5c 34 56 84 be 5f 15 9c b6 64 55 17 96 e0 4f 27 f9 85 d4 92 dd e6 76 a0 59 db 57 52 46 67 82 2d ac c2 5b 8a ca 20 55 90 84 05 3e 67 e4 58 34 34 f3 08 cf ff e4 22 ea 34 82 84 99 90 7f 0c ce e1 d9 d1 ad 21 a2 f1 f8 35 56 3c 16 b7 ae 7e a1 a4 ae ce 89 40 d6 ae 51 7d 9c 2c 96 4c 22 df b7 49 50 65 02 a5 a6 08 1e ea c2 16 08 f8 67 ce fe 36 01 9c 52 c4 b6 7e 10 cf 08 48 b9 1d c7 45 dc

Court Signature: The Court's digital signature is a verifiable mathematical computation unique to this document and the Court's private encryption key. This signature assures that any change to the document can be detected.

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO
ALBUQUERQUE, NEW MEXICO

CLERK'S MINUTES
BEFORE THE HONORABLE RICHARD L. PUGLISI

DEFENDANTS: TYPE OF HEARING: DETENTION/IDENTITY HEARING
PETITION FOR WARRANT FOR OFFENDER UNDER
SUPERVISION--EASTERN DISTRICT OF KENTUCKY

EDWARD A. FREEMAN

CASE NO. 05M0220
DATE & TIME 4/12/05 @ 9:30 AM
INTERPRETER

PTS/PROB OFFICER S Geurts

CLERK: D SANCHEZ

NAMES AND TITLES OF OTHER PARTICIPANTS:

TAPE NO. SPEAKER
RLP 05-02 #2
789 - Ct -appearances
- 844 Ct - Katze - Deft

TAPE NO. _____ SPEAKER _____

DATE OF ARREST:

HEARING RESULTS/FINDINGS: Deft waives Rule 32.1 hearings and detention hearing;
Court approves waivers finding deft has full knowledge of meaning and affect and Orders
deft transported to Eastern District of Kentucky; deft remanded into custody

April 11, 2005 12:00:AM

**United States District Court
District of New Mexico
Summary Document Verification***

Case:	05m 00220
Title:	USA v. Freeman
Document Type:	Order
Document Number:	5
Description:	ORDER by Magistrate Judge Richard L. Puglisi appointing Margaret Katze, AFPD to represent deft Freeman
Total Pages:	1
Exhibits/Attachment:	0
Court Signature:	42 8e d5 09 db aa 3f 5c 9b 7d 19 2b 64 74 d8 14 b7 a2 f2 3c 5b 7a 2c 6f 2f f4 f0 d2 cf d9 a9 8a ab d6 f7 89 b9 fe 20 f8 4e f5 28 58 41 2f 5b 83 90 0b 2a 78 8b bd 7a f3 5e 78 ca 2e b6 cc c4 ab 4d a5 a4 31 f4 bb df c0 4d ce 5b 66 dc 9f 10 56 46 80 4b f9 6f 9c 3c 4c 31 16 2d eb 16 06 01 14 a9 33 00 03 66 40 64 53 88 62 a4 44 30 39 f0 ef c1 23 35 65 7d a3 72 f3 f3 38 29 5b ab 52 15 d5

Court Signature: The Court's digital signature is a verifiable mathematical computation unique to this document and the Court's private encryption key. This signature assures that any change to the document can be detected.

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Mag. No. 05M220

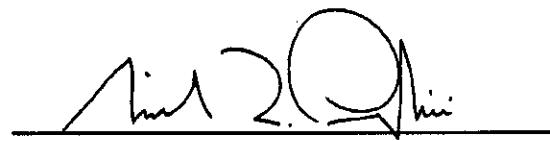
EDWARD A. FREEMAN,

Defendant.

ORDER

The financial inability of the Defendant to retain counsel having been established by the Court, and the Defendant not having waived the appointment of counsel,

IT IS ORDERED that MARGARET KATZE of the Federal Public Defender Organization, District of New Mexico, is hereby appointed to represent said Defendant in this cause of action until further order of the Court.



UNITED STATES MAGISTRATE JUDGE

NOTICE

A Detention/Identity Hearing is set for Tuesday, April 12, 2005, @ 9:30 a.m., before the Honorable Richard L. Puglisi, United States Magistrate Judge, Albuquerque, New Mexico.

April 11, 2005 12:00:AM

**United States District Court
District of New Mexico
Summary Document Verification***

Case:	05m 00220
Title:	USA v. Freeman
Document Type:	Order
Document Number:	4
Description:	ORDER by Magistrate Judge Richard L. Puglisi of temporary detention as to deft Freeman
Total Pages:	1
Exhibits/Attachment:	0
Court Signature:	af a5 3d dc 30 fa bb 21 2d 40 12 e8 c2 e6 35 59 00 b9 df 6d 7b 93 ab e5 e3 13 02 f3 8e a2 60 9f ef 82 6b 7d 4d 32 a3 de bf c0 84 e1 f0 a7 9c 05 51 0a a0 ec 53 91 2a fb 52 ef 1b b4 fd 5e 22 f2 e2 94 49 8f dc f9 f9 4b e7 c6 47 c4 1f 8d d2 5c ca 86 2d 11 82 87 c8 a1 8d 3e 77 cf 20 fb e5 bc dc 77 0c 75 37 dc 5e 70 56 c2 67 27 39 a5 7e d5 4f 7e 21 f7 6a 23 98 6c cf 9a 7b b3 7a 84 29 c1

Court Signature: The Court's digital signature is a verifiable mathematical computation unique to this document and the Court's private encryption key. This signature assures that any change to the document can be detected.

*Note: THE COMPLETE DOCUMENT VERIFICATION FORM CAN BE VIEWED ON THE ACE DOCKET SHEET FOR THIS CASE.

AO 470 (8/85) Order of Temporary Detention

United States District Court
District of New Mexico

DISTRICT OF **NEW MEXICO**

UNITED STATES OF AMERICA

v.

**ORDER OF TEMPORARY DETENTION
PENDING HEARING PURSUANT TO
BAIL REFORM ACT**

EDWARD A. FREEMAN

Defendant

Case Number: 05M220

Upon motion of the UNITED STATES OF AMERICA, it is ORDERED that a
detention hearing is set for Tuesday, 4/12/05 *at 9:30 a.m.
Date *Time*

before Richard L. Puglisi, U.S. Magistrate Judge

Name of Judicial Officer

Albuquerque, New Mexico

Location of Judicial Officer

Pending this hearing, the defendant shall be held in custody by (the United States marshal) (_____)
(_____) and produced for the hearing.
Other Custodial Official

Date: April 11, 2005

Judicial Officer /s/ Richard L. Puglisi, U.S. Magistrate Judge

*If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the Government, or up to five days upon motion of the defendant. 18 U.S.C. §3142(f)(2).

A hearing is required whenever the conditions set forth in 18 U.S.C. §3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the Government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the Government or upon the judicial officer's own motion if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate a prospective witness or juror.

April 11, 2005 12:00:AM

**United States District Court
District of New Mexico
Summary Document Verification***

Case:	05m 00220
Title:	USA v. Freeman
Document Type:	Clerk's Minutes
Document Number:	3
Description:	CLERK'S MINUTES as to the Initial Presentment on Petition for Offender Under Supervision from District of Kentucky held on 4/1...
Total Pages:	1
Exhibits/Attachment:	0
Court Signature:	08 d7 ad f8 73 49 da bf 44 65 6b 57 6a 90 eb 48 0c fc 30 e7 19 09 a6 87 5a 93 a7 5c d8 0c fa f3 ba 17 cd 3f c7 84 e8 59 2c ef 6e d3 86 ea 76 d6 ec 9c 58 31 fc c6 f8 ac d5 07 a1 5b f1 3a 05 34 99 66 37 6f 06 ff ff 62 37 3e a5 6f 3b 1a 99 00 13 44 a6 49 9a 2c 0d bf bb b3 57 2a 04 84 1a a1 ab 71 1c 46 72 34 21 16 fb 0f 2a 7c f1 8b 76 d4 61 3a 69 6e 4b ed 0e 34 32 d6 7b 23 a0 77 57 5a

Court Signature: The Court's digital signature is a verifiable mathematical computation unique to this document and the Court's private encryption key. This signature assures that any change to the document can be detected.

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THE ACE DOCKET SHEET FOR THIS CASE.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO
ALBUQUERQUE, NEW MEXICO

**CLERK'S MINUTES
BEFORE THE HONORABLE RICHAD L. PUGLISI**

DEFENDANTS: TYPE OF HEARING: INITIAL PRESENTMENT ON
PETITION FOR WARRANT OR SUMMONS UNDER
SUPERVISION-OUT OF DISTRICT OF KENTUCKY

EDWARD FREEMAN

CASE NO. 05M0220
DATE & TIME 4/11/05 @ 9:30 AM
INTERPRETER _____

PTS/PROB OFFICER S Geurts

CLERK: D SANCHEZ

NAMES AND TITLES OF OTHER PARTICIPANTS:

AUSA Bob Kimball

DEFENSE Pro Se () APPT () RET

APPT RET

APPT RET

APPT RET

TAPE NO. SPEAKER
RLP 05-02 #2
234 - Ct -appearances
- 378 Ct - Deft - Kimball

TAPE NO. SPEAKER

DATE OF ARREST: 04/08/05

HEARING RESULTS/FINDINGS: First appearance on Petition; Deft request court appointed counsel; Court approves appointment of counsel; Govt moves for detention; Det/Identity Hrg set 4/12/05 @ 9:30 a.m. before Judge Puglisi; Deft remanded into custody

FILED

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

APR 11 2005

UNITED STATES OF AMERICA,

MATTHEW J. DYKMAN
CLERK

Plaintiff,

v.

No. 05M 220

Edward A. Freeman,

Defendant.

Motion for Detention Hearing

The United States of America moves, under § 3142(e) of Title 18, United States Code, for a detention hearing and order that defendant Edward A. Freeman be detained until trial, for the reasons that defendant is a flight risk and a danger to the community.

Respectfully submitted,

DAVID C. IGLESIAS
United States Attorney

Robert D. Kimball

Robert D. Kimball
Assistant U.S. Attorney

P. O. Box 607
Albuquerque, New Mexico 87103-0607
(505) 346-7224, Ext. 1460

2

United States District Court
for the
Eastern District of Kentucky

05M220

Petition for Warrant or Summons for Offender under Supervision

Name of Offender: Edward Freeman

Case Number: CR-1-01-001

Name of Sentencing Judicial Officer: Honorable S. Arthur Spiegel, Senior U.S. District Judge

Date of Original Sentence: April 10, 2001

Original Offense: Bank Fraud

Original Sentence: 18 months imprisonment, 5 year term of supervised release, \$82,170 restitution.

Type of Supervision: Supervised Release Date Supervision Commenced: 10/18/02

Asst. U.S. Attorney: John M. DiPuccio Defense Attorney: Richard Smith Monahan

PETITIONING THE COURT

To issue a warrant
 To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation No: Condition: Nature of the Violation:

1 THE DEFENDANT SHALL NOT
 LEAVE THE JUDICIAL
 DISTRICT WITHOUT
 PERMISSION OF THE COURT
 OR PROBATION OFFICER.
 Based upon the above information, Mr.
 Freeman's whereabouts are currently
 unknown.

U.S. Probation Officer Recommendation:

The issuance of an arrest warrant

The term of supervision should be:

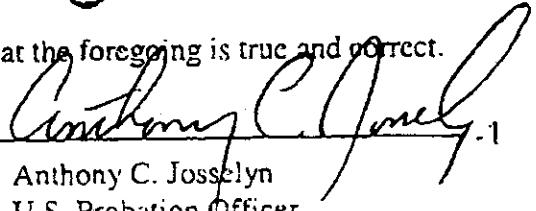
Revoked
 Extended for [yrs] year(s), for a total term of [tot_yrs] years.

The conditions of supervision should be modified as follows:

PROTECTED COPY

I declare under penalty of perjury that the foregoing is true and correct.

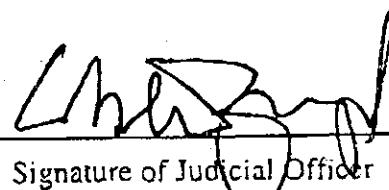
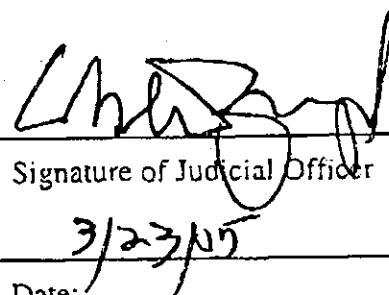
Executed on: March 22, 2005


Anthony C. Josselyn
U.S. Probation Officer

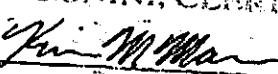
Based on the above, there is probable cause to believe a violation has occurred.

THE COURT ORDERS

No Action
 The Issuance of a Warrant / Matter Sealed Pending Arrest
 The Issuance of a Summons
 Other


Signature of Judicial Officer
3/23/05

Date:

I certify that this is a true and correct copy of the original filed in my Office on <u>3/23/05</u> .	
JAMES BONINI, CLERK	
BY:	 James Bonini Deputy Clerk
DATE:	<u>3/23/05</u>

CM/ECF LIVE - U.S. District Court:OHSD

05M220

Page 1 of 1

Other Orders/Judgments

1:01-cr-00001-SAS USA v. Freeman CASE CLOSED on 04/10/2001

U.S. District Court**Southern District of Ohio****Notice of Electronic Filing**

The following transaction was received from km, entered on 3/23/2005 at 4:29 PM EST and filed on 3/23/2005

Case Name: USA v. Freeman

Case Number: 1:01-cr-1

Filer:

Document Number: 18

Docket Text:

PETITION AND ORDER FOR WARRANT OR SUMMONS FOR OFFENDER UNDER SUPERVISION as to Edward A Freeman. The Court Orders the Issuance of a Warrant for Arrest. Signed by Judge S Arthur Spiegel on 3/23/2005. (km,)

The following document(s) are associated with this transaction:

Document description: Main Document

Original filename: n/a

Electronic document Stamp:

[STAMP_dcecf\$Stamp_ID=1040326259 [Date=3/23/2005] [FileNumber=566856-0]
 [a14db4db156f08b485cf3233b76d720d71b56631a6ba900dc320c5e7dda008d9cab7
 b59c75cc48490bf03eda6d8cbdfdd12822048a1233ec0c52177b872697b8]]

1:01-cr-1-1 Notice will be electronically mailed to:

John M DiPuccio john.dipuccio@usdoj.gov, bonnie.silva@usdoj.gov;crim.ecfohscin@usdoj.gov

Richard W Smith-Monahan Richard_Smith-Monahan@fd.org, fpdcin@qn.net

1:01-cr-1-1 Notice will be delivered by other means to:

998074

UNITED STATES DISTRICT COURT

SOUTHERN

District of

OHIO

UNITED STATES OF AMERICA

V.

EDWARD A. FREEMAN

Case Number: 1:01-CR-00001

05M220

To: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest

EDWARD A. FREEMAN

Name

and bring him or her forthwith to the nearest magistrate judge to answer a(n)

Indictment Information Complaint Order of court Violation Probation Violation Petition

charging him or her (brief description of offense)

VIOLATIONS OF CONDITIONS OF SUPERVISED RELEASE (SEE ATTACHED PETITION)

in violation of _____ United States Code, Section(s) _____

JAMES BONINI (BY KEVIN MOSER, DEPUTY)

Name of Issuing Officer

John M. Mar

Signature of Issuing Officer

CLERK

Title of Issuing Officer

March 23, 2005, Cincinnati, OH

Date and Location

Bail fixed at \$ _____

by _____

Name of Judicial Officer

RETURN

This warrant was received and executed with the arrest of the above-named defendant _____

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		